STRANGLED.

Executions of a California Bandit and a Negro Murderer.

THE END OF TIBURCIO VASQUEZ.

A Sketch of His Terrible and Revolting History.

Accused of Committing Thirty-Seven Murders.

VASQUEZ'S LAST WORDS OF WARNING.

Hanging of Fouks in Virginia.

The Murder of Mr. and Mrs. Herndon by Their Negro Servant.

SAN JOSE, Cal, March 19, 1875. The renowned bandit, Tiburcio Vasquez, was sanged at thirty-five minutes past one P. in the jail yard to-day, in the presof two hundred officials, reporters spectators. He carried himself and with nerve until the last. He died without a struggle, repeating the litany. His neck was broken. He protested to the last that he was guiltless of murder, but evidence is too plain that he killed eight persons. He was the terror of the Southern country. The night before execution he dictated an address lathers and mothers enforcing the necessity of educating and keeping a lookout for the children of future generations. Their welfare depended apon the performance of this duty, and he asked the pardon of all he had injured. He thanked the Sheriff, the officials and his friends. Another address was prepared by him in which he appealed to his old associates not to carry out any threats of revenge against oficials, but to change the source of their life and to take warning from his end. A large number of Mexicans, native Californiaus, were present at the funeral. The people appear to breathe freer since Vasquez's death.

Tiburcio Vasquez was probably one of the most sonsummate and bloodthirsty villains of modern times. He stood accused of commissing no less THIRTY-REVEN MURDERS

and other crimes, such as highway robberies, trson, horse stealing, violence to person, nale and female, that could scarcely be redited even if related with circumstandai detail, accompanied by indubitable sysdence of the facts in each individual case. Such a character, revolting as it is, commands a place in current criminal history, and as such we will proceed to give a brief history of the monster himself and the particulars of such of his bloody deeds as have found a place upon the crime-stained calendars of Calliornia during his reign of terror. TIBURCIO VASQUEZ

was a native of California, having been born in monterey county, and at the time of his execution was less than forty years of age. It seems incredible that a being comparatively so young in years should have been so old in crime; but such is unfortunately the fact. From his early youth he had been a transgressor of the laws, the first crime for which he was arrested being committed in of age. On that oceasion he managed to get into a difficulty with another Californian one night at a fandango, and the constable of the town in-terposing to quell the disturbance Vasquez turned upon him with a knife and

STARBED HIM TO THE HEART. When the case was brought into court, under some plea of self-defence or false awearing, Vasquez was acquitted. He then joined a band of adoes whose chief business was horse stealing and cut-throating generally, and in common

TERROR OF MONTEREY COUNTY antil their operations were cut short by the Vigiautes. For stealing horses in Los Angeles county in 1857 he was sentenced to five years' imprisonment at San Quentin, but he escaped, with other prisoners, at a break made on the 25th of June, again arrested for horse stealing in Amador county, arriving at his former place of imprisonment on the 17th of August, 1859. His term expired on the 13th of August, 1863. Vasquez's name

pired on the 13th of August, 1863. Vasquez's name next attained to prominence in the annals of crime in 1864, when a county Sheriff came into the possession of facts which led nim to believe that the notorious bandit had

MURDERED AN ITALIAN

st the Euriquita quickshiver mines and robbed his victim of \$400. Notwithstanding the efforts made for his capture Vasquez eluded the vigilance of the Sheriff and escaped beyond his reach. He was next heard from in 1856, in Sonoma and Contra Cosia counties, and in 1867 we find him again in the State Frison under a rour years' sentence for horse stealing; but for some reason or other he was discharged by act of the Legislature on June 4, 1870. The following is a summary in brief of some of his most daring exploits subsequent to his release by the act referred to:—he first joined a band of outlaws headed by

Who committed many outrages in Santa Clars, Monterey, Fresno and Alameda counties. The band was broken up and scattered, after a vigorous campaism against them, in 1871, by Sheriff Morse, of Alameda, during which this officer Lilled Juan Soto, subsequently capturing in a San Francisco restaurant Frocopio, who had only just returned from Mexico, to which country he and vasquez had fied. Vasquez did not remain in idleness after returning from Mexico, but leit San Brancisco and fook as his rendezyous and niding place the Cantua canyon, near the New Idra mines, where he

Prancisco and took as his rendezvous and niding place the Cantua canyon, near the New Idra mines, wiere he

at the head of which he placed himself. The Visalia stage robbery was his next effort of note. The stage was stopped near Soap Lake, all the passengers robbed, they and then had on their backs in a field. This was followed by other daring robberles, notable among which was that of Firebaugh's ferry, in 1873. Then came the descent upon the Twenty-one-mile House, between San Jose and Gilroy. The hotel was entered in the daytime and four men were robbed, and afterward bound and thrown on the foor. The gobern of August, 1873, the bandits entered the store about dark and searched the persons isside. A sheepherder happening along as Vasquez and Moreno were guarding the door, and, not obeying the order to nait, was shot dead by the latter. A sheepher happening along as Vasquez and Moreno were guarding the door, and, not obeying the order to nait, was shot dead by the latter. A sheepher happening along as Vasquez and moreno were guarding the door, and, not obeying the order to nait, was shot dead by the latter. A sheepher happening along as Vasquez and moreno were guarding the door, and, not obeying the order to nait, was shot dead by the latter. A sheepher happening a coorten with the same demand. He hositated, and then started to run; but a shot from Chavez, who had left the store, cause him to fall. He arose, not being mortally wounded, when Moreno finished him by putting a builet torough his brain. Mr. Davidson, who kept the hote! next noor—who has relations in Nova Scotia—was standing near the threshold when this occurred. He made an attempt to enter, and had got the door partially closed, when Vasquez shor ar mis.

The builet passed through the door and entered his heart, killing him instantly. It is for the muraer of this gentleman that Vasquez was placed on trial in San Jose.

commenced on the 4th of January last and continued about one week. The prisoner being accused of a single murder, that of Mr. Davidson, nearly all the testimony bore upon that point. The chief witness for the prosecution was one of the outlaw's own band, one Antonio Leiva, who, it seems, remained loyal until his chief ran of with his wife and made her literally the captured witness, remained loyal until his chief ran of with his wife and made her literally the captured with his wife and made her literally the captured have been relished by the lovers of the trial might have been relished by the lovers of the romantic laies and adventures of the period as we find them published in our weekles.

THE CASE WAS OPENED by District Attorney Briggs, of san Benito county, he said the prosecution expected to prove that during the month of August 1873, a conspiracy to do a 1050ery at Tres Pinos (or Snyder's store), in what was then a portion of Monterey county (now san Benito), was concorted by Vasquez, Chavez, Moreno, Gouzales and Leiva; that the base of operations was the residence of Leivas, on the Cantour Oreek, eight miles from New Idria; that the plan was for the party to-cross into San Josquin Valley, after executing their business in Monterey; that the arrangement was to to the stages on the roads adjacent to Iree Pinos, the not the store; teas

Leiva and Gonzales acted as an advance guard for the attack at Snyder's; that the three others— Vasquez, Moreno and Chavez—arrived presently, and that the order was then given to "LIE DOWN."

when all present—our persons—were tied and bindfolded; among these were Snyder and his clerk; that Yasquez called Gonzales out, and they overhanted a Frenchman named Bihury, who ran, and was shot by Moreno and killed; that Vasquez came in contact with a teamster named Rectord, who, reinsing to hie down, was shot twice by Vasquez and killed; that Vasquez pursued a man named Shearer, a wagon maker, who rushed into the

PARLOR, WHERE DAVIDSON AND HIS WIFE WERE, PARLOR, WHERE DAVIDSON AND HIS WIFE WERE, and Vasquez fired a shot through the door, the shot taking effect in the body of Davidson, who leif oack and expired in the arms of his wife; that vasquez and another of the gang then returned to the store, released Soyder, and compelled him to deliver all his money and valuables; that the party then stole seven horses, and put out up the san Benito, and rested at a house where one of Vasquez's prothers resided; that afterward LEIVA DESERTED THE PARTY, for reasons of Vasquez's criminal intimacy with Mme. Leiva; that he surrendered to the authorities, and would be produced as a witness for the State, &c.

state, &c.

TESTIMONY OF THE BANDIT'S LIEUTENANT.
We were to rob the store on the 26th of August. About har-past five we began to clean our arms, and fixed our horses and changed clothes. I. Gouzaies and Moreno were ordered by Vasquez to go and see who were at the store, and if anybody resister shoot them. Vasquez had a fitteen-repeater sand a cartridge pistol. He cartred his rifle on the pommel of his saddle, his pistol on his right side and knile on his left. Chavez had a shotgun and a dragoon pistol, Gonzaiez a revolver, Moreno a revolver, and i had a Colv's revolver. All five then started down the hill to the spring Gonzales and I started ahead; as we came up the New Idris stage passed; we fied our horses and went into the store and asked for drinks; knew the clerk in the store; there were eleven or twelve in the store when we went in first, don't remember if Snyder was there when we first went in. but saw him soon after we entered; we stayed there about fifteen minutes, when I saw Moreno come and the beople (five or six) in the store to lay down; Moreno gave me his pistol while he tied the people (five or six) in the store to lay down; Moreno gave me his pistot while he tied then the door and draw his pistol, when we drew our pistols; we ordered the heads of the prisoners with blankets; we soon heard a lew shots at the back of the store; Gonzales came up to the fence where a man tried to jump over and shot him, and Moreno also shot at him, when he fell on his back; two men then came and I told them to go into the hotel, which they did; I then

SAW VASQUEZ PULL UP HIS RIPLE
and shoot through the door; I chased a boy and caught him and brought him back to the store; Vasquez called me to receive the money; and took part of it and Moreno took the rest; the money was in a bureau drawer; we took clothes and put them in a sack, and also took provisions; took eight horses, two saddles and two watches; one of the watches was taken by Vasquez; we suayed at the house about two hours and over; Vasquez commanded us to TESTIMONY OF THE BANDIT'S LIEUTENANT.

hours and over; Vasquez commanded us to hurry up, and ordered Gonzales and me to bring out the horses; Gonzales was sent for a candic, so we could see the horses; Chavez went into the stable and said, "Here is a dead man," and showed him to me; the man was lying with his face down; we started the horses up the San Benito River to the Bitter water on a gallop, but Vasquez's and Chavez's horses soon gave out after we had gone fitteen miles and Chavez's horse soon gave out after we had gone fitteen miles and Chavez's horse soon gave out; went up to Lorenzo, Vasquez's home, about fitty miles from the store, where we all got breakrast; on the division of the spoils Vasquez claimed the gold watch, because he was chie and had done more than any of the rest; he claimed to have killed two of the men himself (one of whom the prosecution claimed to be Davidson); short, a stier this, it seems, Leiva discovered the treachery of Vasquez concerning his wite and determined to betray him to the authorities, which he suosequently did and caused his arrest.

ROSALIA FELIZ,

authorities, which he snosequently did and caused his arrest.

ROSALIA FELIZ.

the stolen wife of the bandit chief's lieutenant, was the next witness. Some curiosity existed among the audience in the court room, among whom were a number of lades, to see this romantic creature; but it appears not to have been greatly rewarded, for she proved to ea an ordinary looking Mexican woman, nearly dressed and somewhat conspicuous from having a tage braid of brown hair woven in and out of her own snining tresses; she twice gave her name as Rosaina Feliz, but admitted that she was the wire of Leiva. The attorneys let her off lightly as to her own peccadilloes, matrimonial and otherwise, for which she muttered her gratitude to them in Spanish as she let the Stand. Her testimony was mainly to the point of hearing the whole robbery planned, that she received some of the stolen goods from her husband, and that during his temporary absence Vasquez took her into the mountains, whole he kept her two or three months.

THE KEEPER OF THE STORE'S TESTIMONY.

mountains, where he kept her two or three months.

THE KEEPER OF THE STORE'S TESTIMONY.

Andrew Snyder, the keeper of the store, testified:—I live in Hollister; was at Tres Pinos in August, 1873, in Monterey county, now in San Benito; was a merchant; on the 26th day of August, at dusk, two men, sees up to the store, nollowed by another; just then a man corrowed \$100 of me; as I gave it to him two more men rode up; I had been gone that day, and got home about four P. M.; the first two who came arrived there about hall-past five; they fied their horses to the fence and went into the store; one asked for a letter, and while looking for the letter some one said. "Lie down," and I found two men with pistols behind me, who said they would shoot; I got down, and they covered me up and tied me; they then took my watch and money; then I heard two shots back of the hotel; immediately heard a man calling my name several times, then two of them lifted me up and led me to the front door, telling my wile to bring out the money; she did so, and they took it and led me back into the store, where I again lay down; Vasquez Tode a horse with a black mane and tall; the first shot was behind the building; heard a heavy fall upon the porch; when they took me out a dead man lay on the porch on his back; behind the building; heard the report of the second gun and heard a heavy fail upon the porch; when they took me out a dead man lay on the porch on his back; next heard two shots behind the hotel, and one in front; heard the robbera talking in the store, and siter the man dropped on the porch neard one of them say, "I guess you will lie still now, damn you;" the dead man on the porch was named Hill; saw Davidson's body first inside the front door of the hotel; he was shot in the left breast; there was a builet hole in the panel of the door; I found a man named George Reddord lying on his face, shot dead; he had arrived at the notel about fifteen minutes before the robbers; all the shooting was done after Vasquez arrived; I could and do identify Vasquez, because he had been pointed out to me as a bad man; I have sold him goods; I swear I have seen him at my store before that time.

FIXING THE GUILT.

L. Shearer testified to seeing the homicide of Redford by Vasquez and to being in the room where Davidson was ween shot; Javidson was in the act of shutting the door when Vasquez ran around the corner and fired a shot at the door; Davidson fell and died in a few minutes.

Other witnesses testified to the fact of Vasquez having been the man who fired the shot that killed Davidson.

The prosecution having rested the

Davidson.
The prosecution having rested the The prosecution having rested the PRISONNE RESTIFIED IN MIS OWN DEPENCE. He admitted the conspiracy to make the robbery at Snyder's, but said it was Letua's proposition. The agreement was to shed no blood nor violate any woman; that Gonzales fired the suot that killed Davidson; that Letua superintended the violence generally, while Vasquez tried to prevent bloodshed, not having fired a shot at all while at Snyder's.

Snyder's.

Came next, the prosecution claiming the evidence of guilt and the defence endeavoring to impeach the testimony of Leiva, who, it was declared, "was a murderer in heart, a murderer in lact and a traitor besides, and this by his own contession on the stand. When his marital rights were invaded," continued the counsel, "this red-handed, blackhearted murderer and thier found out he had a sense of honor and an insult to avenge and took this means to secure it.

THE JUDGE

charged the jury that if the defendant had been actively engaged in planning the robbery, and had assisted therein after the nonicide, he was guilty of murder in the first degree, whether or not he fired the itatal snot, or whether one the was personally present at the time the murders were committed.

THE VERDICT.

After about three hours' atsence, the jury returned a verdict of "Guilty of murder in the first degree and assigning the death penalty."

EXCEPTIONS

were taken to the form of the verdict, and the consideration of the same was postponed for two weeks, when a motion for ARGUMENTS OF COUNSEL

weeks, when a motion for A NEW TRIAL was made and denied, and the Judge proceeded

designating the 19th of March as the day of execution, which was carried into effect as above stated.
THREATS OF HIS AVENGERS.
Just prior to the execution of Vasquez, the following letter, addressed to the citizens of Mollister, with two others, addressed to tae citizens of
San José, written in Spanish, were found in the
express office in Hollister. It speaks for itself:—
NOTICE TO THE TOWN OF HOLLISTER.
Captain Cleovara Chaver to the Inhabitants of Hollister:—

Captain CLEOVARA CHAVEE to the Inhabitants of Hollister:—
Know you that in regard to the acts committed by the Captain of my company, I say that I, inding myself guilty of those acts, hed to Mexico, but having been informed while there that Vasquez was under sentence of death, have returned as far as this place, with the aim of disclosing the laiseness of the evidence sworm to the langed, to quietly meter that Vasquez should be hanged, to quietly meter that I are compense, because I do not believe that I are compense, because I do not believe that I are compense, because I do not believe that I are compense, because I do not believe that I are compense, because I do not believe that I are compense, because I do not believe that I are to see the result. For this reason I let you know that If Vasquez is hung by his enemies, who through fear have turned against him, then you will know if I know how to avenge the death of the Captain. I do not exact of you to see him free, but I do not want him to be nump, because he was not bloody. This I can prove under oath in times gone by T. Med ahou will remember that Vasquez saved his life subsequent to the murders at Trestinus. I was he who tormed the head of the affray, in (Vasquez) certainly was our captain, but I neglected the creders that were imposed upon us. If this is not sufficient, or If by this means yeasone does not set his entered supposed, then you will have to subserse in the time of longith it in the subserse in the time of longith it in the lates.

The just with the unjust alike will be punished, according to law. Then you will never more hear of me in this county or the stare—neither of me nor my company. If he has mitigations given him let it be published in the papers, with nothing more.

OLEOVARA CHAYEZ AND COMPANY.

THE MURDERED MAN, DAVIDSON, had relatives or friends living in Nova Scotis. His wile's maiden name was Burton. She has connections also in Nova Scotia.

EXECUTION OF JESSE FOUKS. BRENTSVILLE, PRINCE WILLIAM COUNTY, Va. 1 March 19, 1875.

At twenty minutes past tweive o'clock P. M. Speriff Goodwin brought Fouks, the negro murderer, out of jail to the place of execution, which was in the Court Green. The prisoner was guarded by a posse of twelve negroes in command of Major Thornton. Fouks walked from the fall to the gallows and ascended the steps with a steady stride, as cool a man as was ever seen under such trying circumstances. He was attended by the Rev. Mr. Marsh, of the Baptist church, who offered prayer in behalf of the prisoner. At the onclusion of the prayer Mr. Marsh read an address to the crowd in behalf of Fouks, in which unkind feelings to the witnesses who testified against him, the prosecuting attorney, the jury who found him guilty, or Judge Kirth, who sen tenced him to be executed. He died at peace with the world, and hoped for pardon for his great crime. The trap was sprung at forty minutes past minutes. After hanging eight minutes the heart continued to beat, at nine minutes to one o'clock Leach and Simpson pronounced Jessie Fouks dead. When cut down it was found that his neck both races, witnessed the execution. There was some excitement, but no disturbance worthy of

The place of the execution was about a quarter of a mile from the jail of Prince William county, in a grove of tall pines, where a few years before the war three slaves-a mother and her two children-were hung for the murder of their master.

THE HISTORY already been fully reported in the HERALD, present time will serve to enlighten the lived an aged couple named Herndon, the man over seventy and his wile over sixty years of age. They lived in a log structure with a porch covered by a shed-roof running its entire length. Two rooms comprised the apartments of the house, and though Mr. Herndon was reported to be worth over \$50,000 in real estate, outstanding debts and cash, the furniture of the establishment was exceedingly scanty and of the most primitive description. As an attendant or house servant there lived with them a little colored boy named Add Russell, aged ten years, and, as a farm hand, a grown negro named Jesse Fouks, about eighteen years old. Mr. Herndon had six sons, all of whom lived on rented farms of their own on his estate. On the morning of the 4th of December last Sommerfield, one of the sons, entered the dwelling, and when he unlatched the door was shocked at the ghastly scene presented to his view. Lying across the bed, with her clothes on, was old Mrs. Herndon,

WELTERING IN HER BLOOD-STAINED garments, but still alive. In the corner near the door on a gray army blanket lay little Add Russell, cold in death, his head cleft in twain and a bloody axe lying at his feet. The old man-the head of the house-was not to be seen, but haif an hour afterward he was discovered about half a mile trembling with intense cold and covered with blood, which had flowed from several terrible gashes in his head. He could give no account as to how he came to be wandering there, and was to brief consciousness. He then told the tale, already confessed by the murderer, that Jesse Fouks had stoien a piece of meat; had been informed upon by the little boy Adu; was accused of it by him, and, when threatened with punish ment, had, for

resolved upon the murder of the whole family. Mrs. Herndon had ejected or pushed Fouks from old man, and they all then resumed their accustomed places round the fire at eight o'clock in the night. On the side of the fireplace nearest the door sat old Mr. Herndon, in an ancient splint bottomed chair; on the opposite side sat his wile

bottomed chair; on the opposite side sat his wile knitting, and near her, with his head next the fire, lay little Add Russell on his pallet, when the murderer entered and did his bloody work. About \$260 in greenbacks were stolen. The next morning the little boy still lay there, but in the COLD EMBRAGE OF DEATH.

Mrs. Herndon's knitting was jound near her chair, where sne had let it fail, the ball or yarn having rolled across the foor to the door, and the unwound thread was buried in congesied clood. This very ball of yarn seems to confirm her statement when she said, "I stepped between my husband and Jesse and pushed Jesse out of doors," for the poor old lady lived three days and cor-

MARKS OF BLOODY FINGERS.

The walls and mantel also bore the marks of bloody bands, where the old man groped along, and with delirious brain and blood-bedimmed eyes felt his way out of the door, and where he stepped down on the porch the imprints of his bleeding hands left their stains on the walls around, and out into the yard the blood streaming from his ince marked the way. Even the hanging limbs of the peach trees in the yard bowed down and gave evidence of that bloody night, and, until recently, could be seen upon their branches the gray hair and clotted gore of him who had once picked their fruit.

On the evening of the win becomber following the tragedy Mirs. Herndon died, and a post-mortem examination disclosed the fact that she had received two cuts with the edge of an rac, on over the forehead, four the house the fact that she had received two cuts with the edge of an rac, on over the forehead, four the house existence of which, said the doctors, was sufficient to have killed an ox. Mr. Herndon died on the Friday night following. A post-mortem examination was held, and it was found that a blow just above the right eye had freatured the skull in two different directions—one across the forehead and the other extending to the ear. The boy's head was crushed into a snapeless mass by two blows with the back of the axe, and his body laid where he had restrict to sleep on that terrible night. Fouks was a once arrested and committed to jail, to await his trial, which took place in January last.

His Trial, and how over the property of the case to the Court of Appeals.

Fouks during the trial presented the most stoit indifference, not seeming to take the slightest infinding on ether side; nor did he seem to regard the seatence of death has been passed on him, Mr. Williams, as the time of Fouks' coniestion, was engaged in trying to get the case to the course of Appeals.

Fouks during the trial presented the most stoit indinference, not seeming to take the slightest in the seatence of death has been onested on h

with fear she grasped him, and, with superhuman strength.

and called for help, but none came, and after a noble struggle her strength failed, and fours loosened her hold on his colar, and, unlocking the front door, soon disappeared in the darkness.

front door, soon disappeared in the darkness.

On Sunday morning following his bare foot tracks were traced in the mud, through fields and lanes, for a distance of about seven miles from the jail, when they led to a straw yard. The jailer and a colored man, who had followed the trail, discovered that the tracks had not left the straw yard, and, with drawn revolvers, they began a search. They were not long in finding the spot where he had entered a stack, and, removing the straw, found Fouks crouching about three feet within the stack. He obeyed the order to come out and surrender, which he did without resistance, though with signs of terrible mental excitement.

excitement.

HE CONTEMPLATES SUICIDE.

When captured he was searched for any weapons of delence he might have, and upon his person, tied up in a ray, was a quantity of finely pounded glass. When asked by his captors what use he inglass. When asked by his captors what use he in-tended to make of this, he said said he intended if recaptured to take it to kill himself rather than be hung. He was then taken back to jail, shortly after which he had an interview with the jailer. Fouks said he had been praying and the "Lord had told him to tell all about the murder." and he now wished to do it. He then told two stories, the last and most truthful of which is the fol-lowing. HOBRIBLE CONFESSION.

"I killed them mysei and nobody assisted me I did not do it to rob them. I done it because I was mad with them about accusing me of stealing the meat, and I took the money to make it appear that some one had murdered them to rob the house. I killed the little boy Add because I was mad with him for telling that I stole the meat. I was sorry after I had done it, and intended to come back to Mr. Herndon's from my sister's next morning as it I knew nothing about it, but when Mr. O'Rear asked me to help him kill hogs I concluded not 10 go back."

HOW THE MUNDER WAS COMMITTED.

To your correspondent the condemned man re-

hearing that Mrs. Herndon had found the meat wrapped in my handkerchiet which I took, I went to the house and denied it, and toid her my sater gave me the meat. I saked then to see Mr. Herndon. Mrs. Herndon toid me to wait until he was done his supper. I then went to the kitchen and atterward heard Air. Herndon go to the meat house. I heard him say it was his meat and I was airaid I would be arrested for stealing the meat. In about an hour I concluded I would go to the house and see Mr. Herndon if he would give me my handkerchief I would say no more about the meat. He told me he would not do it, and I must leave the house. I told him I would not leave. I must have my hander to the up my clothes in. He said if I did not leave toe house he would knock me down with the axe. I told him I was not airaid of him knocking me ne would not do it, and I must leave the house. It old nin I would not leave. I must have my handkerchief: that I was going to leave and wanted it to the up my clothes in. He said if I did not leave toe bouse he would knock me down with the axe. I told him I was not airaid of him knocking me down with the axe. He then got up and raised the axe. Mrs. Herndon got up and said, desse, go away and don't have no loss here,' and she pushed me out at the door and shut it. I picked up a new axe handie woich was standing in a barrel on the porce, near the door, and shoved the door open, and as she was walking back to her seat I struck her a lick on the head with the axe handle and knocked her down. I then struck Mr. Herndon mith the same thing and knocked him down, and struck nim two or three licks on the head. Mrs. Herndon got up on her knees, and I dropped the axe nandle and picked up the axe waich Mr. Herndon had and struck her on the head with the back of the axe and knocked her back on the floor. I then struck Mr. Herndon on the nead with the axe. Add two or three licks on the head with the axe. Add was sick and had been taking some medicine, and was a wake when I strack him. He did not speak. I then it the candle and took the keys from Mrs. Herndon's pocket and unlocked the drawer and took out the paper. leaving the gold and silver in the front of the drawer. I thought I had killed them sil and I then went away to my sister's. As I went to work for Mr. O'Rear the next day I hid the money in a brush pile."

Fouls, who has been supposed by some to be very ignorant, has shown almost to be wining to die. He spoke treely with the leve persons who cailed to see him. Those who have taken pains to watch the case from the beginning have believed that a juil confession by the comemned man was only a question of time, but it is hardly likely he would have admitted his guilt so soon if his escape and recapture had not had such a depressing effect upon his mind. His attempted escape was will unlooked ior, and no one believed th

CREST OF A COUNTERFEITER.

ANOTHER PHASE OF THE SECRET SERVICE DIVI-

SION TACTICS-A REMINISCENCE OF ANDY JOHNSON'S TIME. The occupation of the Chief of the Secret Service Division and his assistants it would seem is not yet gone. They have succeeded in tracing to city an alleged old offender-an extensive dealer in and manufacturer of the "queer." The accused, whose name is George Albert Mason, was on Thursday night last, arrested in the Park Hotel

by Colonel Washburne, Chief of the Secret Service. The present coarge against him is having, as alleged, passed \$500 of counteriest bills of the denomination of \$5, purporting to be of the legal issue of the Traders' National Bank of Chicago, Albert Ensor, in purchase of a quantity of lace. When Ensor, as the detective's story goes, discovered the fraud, he communicated the fact to the Secret Service Division, with a description of the party. Suspicion was at once aroused that this person was an old offender, the detectives identifying him as one who had been formerly a Confederate spy, arrested by the government and sentenced to be impris-

clion was at once aroused that this person was an old offender, the detectives identifying him as one who had been formerly a Confederate spy, arrested by the government and sentence was atterward remitted to deportation from the United States. These suspicions directed against the alleged counter-reiter aroused the professional Zeal of the detectives, and, like sleuth nounds, they started on search of a trall which they soon struck. For upward of a week Colonel Washburne and trusted assistants have been following up the tracks of Mason, and on Thursday, as before stated, they pounced upon him at the Fark Hotel. The arrest was made in advance of the original plan, which was, when once signted, to keep him under constant surveillance till he had committed himself under their own eyes. This plan was not adhered to for this reason. On the evening of his arrest Mason was seen to send up a card to ex-Chief Detective Wood, who was also stopping at the Fark Hotel. This circumstance determined Washburne and Mason was at once arrested. On his person was found a revolver and pair of handouns. Yesterday no was orought before Commissioner Shields and held for examination in \$10,000. He was subsequently lodged in Ludlow Street Jail.

Albert of the Sarrested and sentenced to imprisonment for hie, but which President Johnson femitted to deportation. In 1865 he went to Canada, where he met and was employed by the then Chief of the Secret Service Division, Colonel Wood, to whom he made himself very useful in arresting noted counterfeiters, fugitives from the United States. Subsequently, he was summoned to Washington by the Solicitor of the Treasury, Hanfield, by whom he was specially employed to which the was a sound not 'pull together' and Mason had to seek iresh fields and pastures new in which to exercise his peculiar accounts for he reasury, Hanfield, by whom he was specially employed to Arrest a notorious counterfeiters, fugitives from the United States, and by one old stroke ne secured some \$2,000 in counteries to the fie

FIRE IN GRAND STREET.

At thirty-five minutes past four o'clock yesterday afternoon fire was discovered on the second floor of the two story and attic building No. 104 Grand street, occupied by Horneman & Co., man-nacturers of hats and caps, Before the flames were extinguished their stook was injured to the amount of \$2,000 and the damage done to the build-ing is estimated at \$1,000. CAMBRIDGE AND OXFORD.

THE GREAT ACTIVITY CONTEST ON THE THAMES TO-DAY-FORMATION AND WORK OF THE CREWS-SKETCHES OF PREVIOUS RACES.

The great aquatic event of the year in England,

that of the race between the universities of Cambridge and Oxiord, comes off this morning on the Tnames, from Putney to Mortlake. This is the Cambridge has been victorious for the past five years the score still stands in favor of Oxford, who has crossed the winning line sixteen times against fitteen for ner opponent. The first of these contests took place at Henley in 1829, Oxford winning very easily. Seven years then intervened without a struggle, when representative crews again met on the course from Westminster to Putney, Cambridge carrying off the honors. Another gap of three years followed, when in 1839 Cambridge repeated her victory, and still again in 1840 and 1841 she added renewed lustre to her rowing renown by beating her for-The next year (1842) Oxford midable opponents. went to the front, finishing the race thirteen seconds quicker than Cambridge, when there was a cessation of rivalry until 3845. The spring of that year they met for the first time over the present course, Putney to Mortiake, Cambridge winning by thirty seconds. The latter repeated her success in the next two races, rowed respectively in 1846 and 1840. Oxtord then turned the tables and came in first in the three succeeding contests, occurring in 1850, 1852 and 1854. Another change took place in 1856, the year of the thirteenth race, and then the universities won alternately until 1861, when Oxford commenced a series of brilliant victories, extending to 1870. In this year Cambridge went to the iron; winning the race by one and a quarter lengths. This victory seemed to work great demoralization among the Oxonians, for she has been unsuccessful ever since, though there are hopes with her friends that the dark blues will change the tide of affairs to-day and victory

are hopes with her friends that the dark blues will change the tide of affairs to-day and victory perca upon her banners.

THE CAMERIDGE CREW.

Not for many years have there been so many changes in the respective crews due to prehiminary practice. It seemed aimost impossible to obtain the right men for the several positions in the boats, and even at the latest dates received by mail this essential matter had not been definitely fixed. When Camoridge commenced work the eight were composed of the following:—Briscoe, Catherine's; Michell, First Trinity; Peabody, First Trinity; Stewart, Lady Margaret's; Punitys, Jesus; Aylmer, First Irmity; Dicker, First Trinity; khodes (stroke), Jesus. After a day or two Briscoe left the boat, and I. W. Lewis, of Caus, and Donaldson, of Third Trinity, were severally tried in his piace at low, after which Donaldson was transferred to No. 7, and Dicker took his seat at the bow thwart. Then Fowle, of First Trinity, was put in Stewart's place, at No. 4, but the change apparent y did not give satisfaction; for after a couple of days Stewart was reinstated in his old seat, Dicker was transferred to No. 3, Phillips went to No. 3, and Penbody—one of the wanning crew of 1873, though he did not row hast year—was tried at low. A day or two later Stewart was ejected from the boat and Michell was shifted to No. 4, a new hand, Charlesworth, of Tand Trinity, formerly one of the Elon eight, taking No. 2. Thus constituted the crew rowed together for the best part of a week, and faint hopes were entertained that the task of selection has been definitely accomplished, and practice would commence in earnest. On the Saturday, however, the work of reconstruction was commenced anew. Hibbert, of Lady Margaretiz, last year's bow, made his appearance on the scene, and took his old seat, the lonaldson, who retired it was add than a hold seat, even and the content of the secone, and took his old seat, the lonaldson, Saturday, nowever, the work of reconstruction was commenced anew. Hibbert, of Lady Margaret's, last year's bow, made his appearance on the scene, and took his old seat, vice Donaldson, who retired, it was said, under medical advice. Shand, of First Trinity, was substituted for Charlesworth, and Dicker and Phillips changed sears. The new arrangement, nowever, did not last long. On the Saturday of the same week W. B. Close, the winner of the Colquinoun Sculls, and a younger brother of the two Cambridge carsmen of that name, was introduced into the boat as a substitute for shand, but he had scarcely rowed more than a day or two when Benson, last year's No. 7, suddenly became available, and was jortawith established at his old place, and Peabody, who had previously been rowing on the bow side, went to No. 2 in the room of Close, who retired from the boat. The acquisition of Benson was undoubtedly a great gain to the crew, as the weak place had nither to been No. 7, and the Cambridge University Boat Club authorities naturally congratuated themselves on their good fortune in securing the services of a tried carsman at that important thwart. Thus constituted the crew continued their practice, with one day's cessation, for upward of another week; but on the 27th let a further alteration was decided upon, the services of Mr. W. B. Close being again called into requisition in Diace of Mr. Penhody. Tas ult, a includer alteration was decided upon, the services of Mr. W. B. Close being again called intr-requisition in place of Mr. Peabody. The crew-therefore, at the latest advices was as lollows:—

Of the above, Messrs, hibbert, Aylmer, Benson and Rhodes are old hands, having all four rowed in last year's winning crew. Messrs, Dicker and Michell both come of a good rowing stock, and can each boast of a brother who wen the "diamonds" at Henley and the Amateur Championship; while Mr. Close, as we have stated, is brother to the two wen known Cambridge "Blues," the elder of whom, it will be recollected, formed one of the London Rowing Club lour who deleated the New York Atalanta crew.

THE OXFORD CREW.

The selection of the Oxford cignt caused almost as much trouble as that of Cambridge. After many canness the crew were finally decided upon as below-named and they went to work vigorously, falling into good rowing, at least so it is said, at once. There was much "prettiness" about the stroke, but, unforcinately, this does not win a race. After a practice on the lisis for three weeks, it was the opinion of all competent lookers on tast their improvement was mirked. They rowed long and clean, like the good old Oxford style. As a crew they are lar better than any of their clights for some years past, if the crew of 1873 is excepted, which was so weak that it had no chance against the first and successful crew of the Cantabs of that year. The present eight row quite as evenly as did those of 1873 and are a fluer lot of men than they. In weight they are by no means despicable, for they average more than the Cambridge men; but the latter have the indvantage in the weight of their coxwain, who is lighter by twenty-two pounds than hopwood, of the Oxford, which har more than counterbalances any extra weight on the side of the oarsmen. "Win or lose," say the latest advices, "old Oxonians will allow that they have revived more of the good old style than any Oxford eight for years past, and that, for a crew of young hands, for the most part they have an element of steaddness and watermanskip in them that is often not to be found in crews far more experienced." The eight, as made up at the latest date, was as follows:—

Gate! 20 10110		
		Weight
Position. Name.	College.	Lbe.
Bow H. M. Courtne	ey Pembrose	158
	ttBrasenose	
No. 3J. E. Bankes.	University	165
No. 4 M. Boustend.	University	174
No. 5 Stayner	St. John's	173
No. 0 A. MITCHISOD.	rembroke	180
	s-Moss. Brasenose	
Stroke P. Way	Brusenose	114
COXSWEIT . SI. HOPWOO	odChrist Church	**** ***
As a matter of	comparison in the agg	regate
Waterhie of the crew	with and without cox	awain.

and their average, the following is of interest:-

Without Average Cozecrata. of Creic. Lbs. Lbs. 1,337 16734 1,350 16634 Lbs. 1,431 Oxford 1,466

Fear. Winer. | Course. | Fine. How Won. | 1839 | Oxiord. | Genley | 1439 | Easily. | 1836 | Cambridge | Westmire o Punner | 1830 | Lan.

١	1536. Cam ridge.	Westin'r to Putney 35:00	1 m.
1	1839. Cambridge.	Westm'r to Putney 31:30	lun. 45s.
1			% length.
١		Westm'r to Putney 32:30	lin. Use.
1		Westm'r to Purney 30:15	134.
١			km.
1	1845. Cambriage.	Mortiake to Puiney . 21:5	2 lengths.
1		Pumey to Mortlake. 22:00	Easliy.
1	18ML INTIONA	Puiney to Mortiake, A foul	Foul.
ı	1802 Oxford		279.
3	1854 Oxtord		li strokes.
	1855 is amoradae	Mortiake to l'utney. 25:50	156 length.
	18A7 Interest	Putney to Morilake. 22:55	
B	1954 Chenteridan	Putney to Mortiake, 21 123	355.
	1859. Oxtord	Putter to Mortiake. 21 123	224
	1881 Cambudan	Putney to Mortlake. 24:30	C. sunk.
	1000. Cambridge.	Putney to Mortiake. 25:05	i length.
		nuney to Morunke. 23:27	184
	1262. Oxiord	Putney to Mortlake. 24:40	105.
		Mortiake to Putney. 23:35	135.
	1864. Xiord	Putney to Mortlake . 41:48	204.
		Putney to Mortiage. 21:25	i lengths.
		Putney to Mortiake. 5:48	
	1867. Oxford	Purney to Mortiake, 22:30	156 length.
	1868. Oxford	Putney to Mor.lake. 2010	o lengths.
	1869. Oxford	Putney to Martiake . 0:06%	2 lending
ı	15/0 Campridge.	Putney to Moruake. 21:30	1% 100'hs
G	1871 Cambridge.	Putney to Mortieke. 25:09%	I longth.
ı	1872. Campridge.	L'utney to Mortinko 1:14	the leutne
	1875. Campridge.	Putney to Mortiage 1.0:30	d longthe
	1874. Cambridge.	Putney to Mortiake. 10:50	Is tomerer

BUTLER ON CIVIL RIGHTS.

Fusil Oil and the Barber's Chair Still for the White Man.

A WARNING TO SAMBO.

The following letter emanates from the Hon. Benjamin F. Butler, late Congressman from the district of Essex. in Massachusetts, and will determine some doubts hitherto existing in many intelligent minds as to the exact scope of the lamous Civil Rights act:-

WASHINGTON, March 18, 1875. SIR-I have the pleasure to acknowledge receipt of yours of the 14th, containing expressions of appreciation of my efforts in behalf of the Civil Rights bill, for which accept my thanks. You further ask, "Will you be kind enough to inform me if colored men are entitled to the privileges of saloons and barber shops under its provisions ?" AN UNENVIED PRIVILEGE.

To this I answer:-I understand by "saloons," you mean drinking saloons, and am happy to say that the Civil Rights bill does not give any right without the leave of the proprietor and am vers giad that it does not. I am wiling to concede, a iriend to the colored man, that the white race may have at least this one superior privilege to the colored man, that they can drink in barrooms and saloons, and I never shall do anything to intinctive privilege. I would not advocate abili which should give that right to the colored man. If I were to vote for any bill on this subject at all, it would ing saloons; and I hope no barkeeper will ever let a colored man have a glass of liquor at any bas open for drinking. Indeed, I should be glad, whenever a colored man should go into a drinking sasomebody would at once take him and put him out, doing him as little injury as possible. He could do the colored man no greater kindness.

PRIVACY OF A BARBER SHOP. As to the other branch of your question, in reference to barber shops, let me say that the trade on by the man who is engaged in it at his own will and pleasure, and the Civil Rights bill has nothing to do, and was intended to have nothing to do, with its exercise, A barber has a right to shave whom he pleases as much as a jeweiler has a right to repair a watch for whom he pleases, or blacksmith to shoe such colored horses as he pleases. In other words, these are not public em ployments, but private business, in which the law does not interfere.
THE COLORED MAN'S RIGHTS AT COMMON LAW.

From time immemorial all men have had equal rights at the common law in places of public amusement, in public conveyances and in inus or licensed taverns, because all such business was for the public under special privileges granted by the ments were licensed by the public authorities and protected by the police. The public conveyances used the King's highway. The public inn had the special privilege of a lien or claim upon the bargage or other property of any traveller using if for his keep; and if any man was requised well and paying while behaving himself his fare, a seat in any place of public amusement, or carriage by public conveyance, or shelter in a public lan, he had at common law a right of action against the party so refusing. The Civil Rights bill only confirms these rights of nil citizens to the colored man in consideration of the prejudice against him and an attempt in certain parts of the country to interiere with the exercise of those common law rights, and has enacted a penalty as a means of enforcing the right in his behalf in consideration of his beipless and dependent condition. The Civil Rights bill has not altered the colored man's rights at all from what they were before under the common law applicable to nearly every State in the Union, it has only given him a greater power to enforce that right to meet the exigency of come bined effort to deprive colored citizens of it; and all idea that the Civil Rights bill allows the colored man to force himself into any man's shop of into any man's private house or into any easing house, boarding house or establishment other than those I have named is simply an exhibition of ignorance as well as, in some cases, of insufferable prejudice and malignity. And while I would sostain any colored man in firmly and properly insisting upon his rights under the Civil Rights bill. which were his at common law, as they were the right of every citizen, yet I should oppose to the utmost of my power any attempt on the part of the colored men to use the Civil Rights bill as a etence to interfere with the private business private parties. It is beneath the dignity of any colored man so to do, and all acts, such as shut ting him out from drinking saloons, may be well left to the ignorant and generally vicious men who keep them as a badge of their superiority to the colored race. I have the honor to be. &c., BENJAMIN F. BUTLER.

ROBERT HARLAN, Esq., Cincinnati, Ohio.

A CIVIL RIGHTS DEFEAT.

THE PROPRIETOR OF A RESTAURANT IN GEORGE TOWN JUSTIFIED IN EJECTING AN OFFENSIVE

WASHINGTON, March 19, 1875. In the Police Court to-day William Rotterbury was charged with assault and battery on Thomas Luckett, a mulatto man. It appeared in the evidence that Rotterbury keeps a restaurant in Georgetown. Last evening, as he with some customers was sitting in the back room of the shop, Luckett came in and stationed himself in front of the proprietor in an offensive manner, and when asked to step aside relused to move. Rotterbury put him out, as witnesses testified, without personal violence. In the tus-le, however, Luckett had his mouth hurt, for which he charges assault and battery.

After a careful hearing of the case on both sides the Court ruled that the defendant had a right to eject offensive customers from his place, and ordered the case dismissed.

SHARKEY. THE MURDERER.

News received in this city yesterday by the steamer Crescent City from Havana is to the derer, who escaped some time ago from the Tombs, had left 'Havana on the English steamer Corsica, bound for St. Thomas, is incorrect. It is believed that he is lying concealed in Havans or in the suburbs. A report was also rife when the Crescent City leit that United States Consul General Hall had written to Wasnington for instructions in the matter, whether this government desires that Sharkey should be surrendered and sent back to this city to be executed.

It is understood that Assistant District Attornes Rawlins lately went to see the Secretary of State

Rawlina lately went to see the Secretary of State at Washington on the subject, and that District Attorney Phelps is working bard in the matter. Detective Henry W. Davies, who left this city in the steamer (ity of Vera Cruz, eight days ago, and is now in Havana, is believed to have been sens out to Havana to arrest Sharkey.

GERMAN IN THE SCHOOLS

The German Republican Central Committee beld a meeting at its rooms, No. 349 Bowery, last night Judge Dittenhoeier presided, and resolutions were passed indorsing the action of Cooper Institute mass meeting in reference to the question of preserving the German language as a branch of instruction in the schools, and action was taken to give additional effect to the principles advanced on that occasion.

SMALLPOX IN JERSEY CITY.

The report of the Board of Health of Hudson county, N. J., shows that during the past month county, N. J., shows that during the past month there were ten deaths from smallpox. Scarcely f day elapses without a new case being reported. The latest case was reported by Dr. Viers, in the house of a man named Berry, on Grand street, near Library Hall, Jersey City. By the time the Health happector had reached the noise the patient had left for New York. The total number of ceaths in the county of Huesen during the month.